

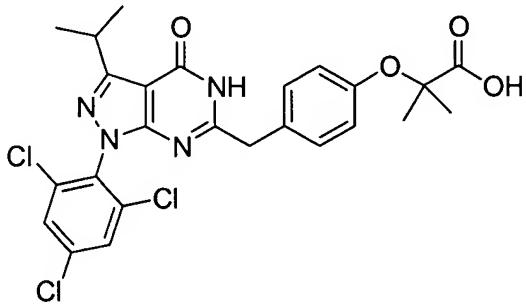
REMARKS

Applicants have amended Claims 1, 12, 18, 24, 25, and 48 to delete a redundant recitation of a Markush group member “aromatic hydrocarbon.” Applicants submit that these amendments do not narrow the scope of these claims and their dependent claims.

The Office Communication deems Applicants’ July 20, 2005 response to the Restriction Requirement not fully responsive.

Specifically, the Office Communication asserts that Claim 40 is drawn to numerous species distinct from the elected R2 species “aromatic hydrocarbon.” Thus, the Examiner indicates that “[i]f applicant would like claim 40 examined, applicant should elect one of the compounds contained within the 48 pages of Table 2 as the elected species for R2. Applicant should review all claims and provide a listing of the claims readable on the elected species.”

Applicants hereby provisionally elect, *for search purposes only*, the following Table 2 small molecule for R2, *with traverse*. This is the second to the last compound in Table 2.



Presently, all elected claims (Claims 28-46, 48-56, 63, 64 and 66) read on the elected species R2.

Applicants reiterate that the scope of R2 is not limited to “one of claim 1(i)(c) [sic] or one of claim 40,” as the previous Restriction Requirement suggests. Claim 28, for example, defines R2 as “a user-specified ligand.” To facilitate the *search*, however, Applicants elect a specifically recited small aromatic hydrocarbon molecule, as a species of R2. Applicants submit that a species election for R2 is really unnecessary to search the claimed invention, particularly in view of the fact that this species election is on top of species elections regarding the other parts of the hybrid ligand R1-Y-R2. Applicants submit that a search using R1 as methotrexate or derivatives thereof already provides a sufficient focus for a clear search, and it does not seem to warrant

further restriction for R2. There will be no additional search burden on the Examiner if this species election is withdrawn.

Applicants also submit that this R2 species subjected to election is encompassed by Markush groups. Applicants submit that all Markush group members can be examined simultaneously without significant additional burden on the Examiner. In addition, Applicants respectfully point out that the search of the Markush-type claim will be extended to non-elected species should no prior art be found that anticipates or renders obvious the elected species (MPEP 803.02).

Applicants note that all elected claims (Claims 28-46, 48-56, 63, 64 and 66) are generic claims encompassing all elected and non-elected species. Restrictions imposed on species encompassed by generic claims must be withdrawn upon indication of an allowable generic claim (MPEP 809).

In summary, although Applicants have made the required species election, Applicants submit that no additional search burden would be imposed on the Examiner if the species election were withdrawn. Reconsideration and withdrawal of this species election are thus respectfully requested.

#### CONCLUSION

The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

Respectfully Submitted,

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